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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/761,273	01/22/2004	Yasutoshi Katsuda	4786-0101P	2584
2292	7590	10/04/2005	EXAMINER NEILS, PEGGY A	
BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747			ART UNIT 2875	
DATE MAILED: 10/04/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/761,273

Applicant(s)

KATSUDA ET AL.

Examiner

Peggy A. Neils

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 18 is/are rejected.
- 7) ☒ Claim(s) 17 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/22/04 & 3/4/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 14-16 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japan 2000-331521.

Japan 2000-331521 shows a light guide device for a liquid crystal display which includes as shown in Figures 1 and 2 a light guide plate 4, a fluorescent lamp 8 placed along a light incident face 4a of the light guide, a rubber bushing 13 positioned at each end of the lamp and held in place by a reinforcing member 12 which is secured to the frame 2. A stopper 10b is formed as a plate-like projection in an inner wall of the main body 10 of frame 2 and functions to prevent positional shifting of the light guide plate (see translation page 5, first full paragraph). The rubber bushing functions to absorb any impact from movement of the plate and deformation of stopper 10b. Claim 1 sets forth that the stopper is a separate member from the frame while the Japanese references shows it integral with the frame. To make separate or integral has long been held not to be a patentable distinction. The assembly of the Japanese references accomplishes that same desired result of the claimed invention of preventing damage to the light source by preventing movement of the light guide plate. Regarding Claim 15, it appears that stopper 10B is provided only at one end of the incident face of the light

guide. The inclusion of a through hole in the stopper would be a matter of design choice depending on how the stopper is secured in place. As the Japanese reference shows the stopper integral obviously no additional connections are needed.

Claims 3-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japan 2000-33151 as applied to claim 1 above, and further in view of Funamoto et al. Funamoto et al teaches that it is known in the art to have a light guide device for a liquid display which includes various type of light configurations including but not limited to an L-shaped arrangement (Figure 4) and a U-shaped arrangement (figure 13). Since the arrangement of the Japanese reference provides for the stopper at the end of the light source it would be obvious to enable the assembly not to overlap or contact an adjacent lighting unit. The stopper appears to be made from metal, which would also provide some reflectance. The amount of reflectance and having the stopper made from a shape-memory alloy would be a design consideration. Reinforcing member 12 of the Japanese reference functions as a reflector and the rubber bushing permits some cushion and deformation with the stopper.

Allowable Subject Matter

Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter: Claim 17 is considered to have allowable subject matter because the claim sets

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forth a second light incident face for the light guide and an L-shaped stopper with first and second sub-portions for the first and second surfaces of the light guide. This combination of limitations was not shown or suggested by the prior art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Myamoto, Bohmer and Nakano are cited of interest.

Any inquiry concerning this communication or earlier communications should be directed to Examiner Neils at (571) 272-2377 on a Monday or Thursday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378.



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800